

BILL NO. R-94-04-29

CONFIRMING RESOLUTION NO. R-23-94

A CONFIRMING RESOLUTION designating an  
"Economic Revitalization Area" under I.C. 6-  
1.1-12.1 for property commonly known as 4815  
Executive Boulevard, Fort Wayne, Indiana  
46801. (Supervalu-Food Marketing Division)

WHEREAS, Common Council has previously designated and  
declared by Declaratory Resolution the following described  
property as an "Economic Revitalization Area" under Section  
153.02 of the Municipal Code of the City of Fort Wayne, Indiana,  
of 1993, as amended and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein;

and

WHEREAS, said project will create 6 additional permanent  
jobs for a total additional annual payroll of \$110,000, with the  
average new annual job salary being \$18,333.33; and

WHEREAS, the total estimated project cost is \$13,800,000;

and

WHEREAS, recommendations have been received from the  
Committee on Finance and the Department of Economic Development  
concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said  
Resolution has been published in accordance with I.C. 6-1.1-12.1-  
2.5 and I.C. 5-3-1 and a public hearing has been conducted on  
said Resolution; and

WHEREAS, if said Resolution involves an area that has  
already been designated an allocation area under I.C. 36-7-14-39,  
The Fort Wayne Redevelopment Commission has adopted a Resolution  
approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA:

1           **SECTION 1.** That, the Resolution previously designating the  
2 above described property as an "Economic Revitalization Area" is  
3 confirmed in all respects.

4           **SECTION 2.** That, the hereinabove described property is  
5 hereby declared an "Economic Revitalization Area" pursuant to  
6 I.C. 6-1.1-12.1, said designation to begin on the effective date  
7 of this Resolution and continue for a two (2) year period. Said  
8 designation shall terminate at the end of that two (2) year  
9 period.

10           **SECTION 3.** That, said designation of the hereinabove  
11 described property as an "Economic Revitalization Area" shall  
12 apply to a deduction of the assessed value of real estate.

13           **SECTION 4.** That, the estimate of the number of individuals  
14 that will be employed or whose employment will be retained and  
15 the estimate of the annual salaries of those individuals and the  
16 estimate of the value of redevelopment or rehabilitation all  
17 contained in Petitioner's Statement of Benefits are reasonable  
18 and are benefits that can be reasonably expected to result from  
19 the proposed described redevelopment or rehabilitation.

20           **SECTION 5.** The current year approximate tax rates for  
21 taxing units within the City would be:

- 22           (a) If the proposed development does not occur, the  
23 approximate current year tax rates for this site would  
24 be \$8.9176/\$100.  
25           (b) If the proposed development does occur and no deduction  
26 is granted, the approximate current year tax rate for  
27 the site would be \$8.9176/\$100 (the change would be  
28 negligible).  
29           (c) If the proposed development occurs and a deduction  
30 percentage of fifty percent (50%) is assumed, the  
31 approximate current year tax rate for the site would be  
32 \$8.9176/\$100 (the change would be negligible).



1           **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby  
2 determined that the deduction from the assessed value of the real  
3 property shall be for a period of ten (10) years.

4           **SECTION 7.** The benefits described in the Petitioner's  
5 Statement of Benefits can be reasonably expected to result from  
6 the project and are sufficient to justify the applicable  
7 deductions.

8           **SECTION 8.** For real property, a deduction application must  
9 contain a performance report showing the extent to which there  
10 has been compliance with the Statement of Benefits form approved  
11 by the Fort Wayne Common Council at the time of filing. This  
12 report must be submitted to the Allen County Auditor's Office and  
13 the City of Fort Wayne's Department of Economic Development and  
14 must be included in the deduction application. For subsequent  
15 years, the performance report must be updated within sixty days  
16 after the end of each year in which the deduction is applicable.

17           **SECTION 9.** The performance report must contain the  
18 following information:

- 19           A. The cost and description of real property improvements.
- 20           B. The number of employees hired through the end of the  
21 preceding calendar year as a result of the deduction.
- 22           C. The total salaries of the employees hired through the  
23 end of the preceding calendar year as a result of the  
24 deduction.
- 25           D. The total number of employees employed at the facility  
26 receiving the deduction.
- 27           E. The total assessed value of the real property  
28 deduction.
- 29           F. The tax savings resulting from the real property being  
30 abated.

31           **SECTION 10.** That, this Resolution shall be in full force  
32 and effect from and after its passage and any and all necessary  
approval by the Mayor.

  
\_\_\_\_\_  
Member of Council

APPROVED AS TO FORM AND LEGALITY

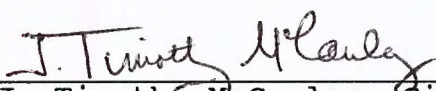
  
\_\_\_\_\_  
J. Timothy McCaulay, City Attorney



Exhibit A

Part of the Southwest Quarter of Section 22, Township 31 North, Range 12 East, in Allen County, Indiana, in particular described as follows, to-wit: Commence at the Southwest corner of a 6.311 acre tract conveyed by Interstate Industrial Park to Torfa Realty and recorded in Deed Record 659, page 144; (1) thence South 89 degrees 02 minutes East along the South line of said 6.311 acre tract, a distance of 284.88 feet; (2) thence Eastwardly on a curve to the left having a radius of 553.69 feet, the chord of which bears 84 degrees 21 minutes 30 seconds, for a length of 127.44 feet, the arc distance of 127.75 feet to a point of tangent; (3) thence North 77 degrees 45 minutes East, 74.98 feet to a point of curve; (4) thence Eastwardly on a curve to the right having a radius of 593.69 feet, the chord of which bears North 83 degrees 52 minutes East, for a length of 126.52 feet, the arc distance of 126.72 feet, to a point of tangent; (5) thence North 89 degrees 59 minutes East, 74.70 feet to the Westerly line of a 17.50 acre tract conveyed by Food Marketing Corporation to Torfa and recorded in Deed Record 659, pages 147-8; (6) thence Southwardly, along said Westerly line, 40.0 feet, (the following five courses and distances, being parallel with and 40 feet Southwardly at right angles and radially from courses Numbers five, four, three, two and one herein); (7) thence South 89 degrees 59 minutes West, 74.70 feet to a point of curve; (8) thence Westwardly, on a curve to the left having a radius of 553.69 feet; the chord of which bears South 83 degrees 52 minutes West for a length of 118.00 feet, the arc distance of 118.18 feet to a point of tangent; (9) thence South 77 degrees 45 minutes West, 74.98 feet to a point of curve; (10) thence Westwardly on a curve to the right having a radius of 593.69 feet, the chord of which bears South 84 degrees 21 minutes 30 seconds West, for a length of 136.66 feet, the arc distance of 136.98 feet to a point of tangent; (11) thence North 89 degrees 02 minutes West, a distance of 149.28 feet; (12) thence Northwesterly along a circular curve to the left having a radius of 450 feet, more or less, an arc distance of 142.0 feet, more or less, to the point of beginning, containing 0.559 acres, more or less, of land.

ALSO, a strip of land in the Southwest Quarter of Section 22, Township 31 North, Range 12 East, in Allen County, Indiana, being further identified as that part of a 0.995 acre tract conveyed to Interstate Industrial Park by Quit-Claim Deed recorded in Deed Record 664, pages 249-252, lying South of that part Excepted from a 0.385 acre tract, also conveyed to Interstate Industrial Park by Quit-Claim Deed recorded in Deed Record 664, pages 249-52, and lying North of a 0.726 acre tract conveyed to Torfa by deed recorded in Deed Record 664, page 253, in particular described as follows, to-wit: Commence on the North line of the 0.726 acre tract hereinbefore referred to at a point situated 93.38 feet East of the West corner thereof; thence Northeasterly along a circular curve to the left having a radius of 593.69 feet, a distance of 83.2 feet, more or less, to the Northeasterly line of the 0.995 acre tract initially referred to; thence Southeasterly along the line aforesaid on a circular curve to the right having a radius of 476.85 feet, a distance of 15.0 feet, more or less, to the North line of the 0.726 acre tract and situated 185.1 feet East of the West corner of said 0.726 acre tract; thence West along the line aforesaid, a distance of 91.72 feet, more or less, to the point of beginning; containing 200 square feet, more or less, of land.

ALSO, part of the Southwest Quarter of Section 22, Township 31 North, Range 12 East, in Allen County, Indiana, in particular described as follows, to-wit: Commence on the Westerly right-of-way line of Executive Boulevard, 80 feet wide, as dedicated by Instrument recorded in Deed Record 648, pages 31-32, at a point situated 40 feet North of the Northeast corner of Block No. 4 of Section "A" of INTERSTATE INDUSTRIAL PARK as recorded in Plat Book 26, pages 65-67; thence Westerly on a line parallel to the North line of said Block No. 4 and situated 25 feet North of the centerline of an existing Railroad single track, a distance of 1035.59 feet to a point of curve; thence Westerly and Northwesterly along a circular curve to the right having a radius of 362 feet, an arc distance of 150.0 feet to a point situated 20.35 feet radially distant Northeastward of said single track centerline, to which point the subtended chord to the aforesaid course deflects 11 degrees 52 minutes to the right and a chord distance of 148.88 feet; thence Southeasterly, a distance of 50.9 feet to a point situated 7.0 feet radially distant South-



westward of the 362 feet radius curve hereinbefore referred to, and furthermore situated 15.15 feet radially distant Northeastward of said single track centerline; thence continuing Southeasterly by a deflection left of 11 degrees 16 minutes, a distance of 49.7 feet to a point situated 3.2 feet South of the Southwest corner of the existing Food Marketing Building (1975 Addition); thence Easterly by a deflection left of 16 degrees 21 minutes, a distance of 52.9 feet to a point on a line normal to the point of tangent as situated 18 feet normally distant Northward of said single track centerline; thence Easterly on the last described course produced and parallel to said track centerline, a distance of 1035.59 feet to the Westerly right-of-way line of said Executive Boulevard; thence Northerly a distance of 7.0 feet to the point of beginning; containing 0.19 acres, more or less, of land.

Read the first time in full and on motion by C. Edmonds, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on General (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday, the 10th day of May, 19 94, at 5:30 o'clock P. M., E.S.T.

DATED: 4-26-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE				<u>✓</u>
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 5-10-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-23-94 on the 10th day of May, 19 94

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Clatus R Edmonds  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 19 94, at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of May, 19 94, at the hour of 11:30 o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Confirming Resolution

DEPARTMENT REQUESTING ORDINANCE Department of Economic Development

SYNOPSIS OF ORDINANCE Supervalu-Food Marketing Division is requesting a tax abatement to construct an additional 67,015 square feet of freezer space to their existing facility. This addition will serve as a regional receiving and distribution warehouse for edible frozen foods.

P-94-04-29

EFFECT OF PASSAGE Will allow for the creation of six positions which will consist of union order selectors and stockers of frozen food.

EFFECT OF NON-PASSAGE Project will not take place therefore resulting in jobs not being created in the community.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) Donald J. Schmidt



BILL NO. R-94-04-29

REPORT OF THE COMMITTEE ON  
FINANCE  
CLETUS R. EDMONDS - DONALD J. SCHMIDT - CO-CHAIR  
ARCHIE L. LUNSEY  
DAVID C. LONG

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (~~ORDINANCE~~) (RESOLUTION) confirming resolution  
designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for  
property commonly known as 4815 Executive Boulevard, Fort Wayne,  
Indiana, 46801 (Supervalu-Food Marketing Division)

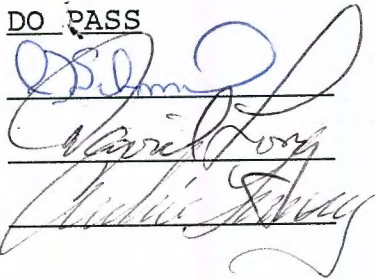
HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(~~ORDINANCE~~) (RESOLUTION) \_\_\_\_\_

DO PASS

DO NOT PASS

ABSTAIN

NO REC



DATED: 5-10-94

Sandra E. Kennedy  
City Clerk



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

April 27, 1994

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of April 30, 1994,  
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN.

Bill No. R-94-04-28 & R-94-04-29  
Bill No. R-94-04-30 & R-94-04-31  
Bill No. R-94-04-32 & R-94-04-33  
Bill No. R-94-04-34 & R-94-04-35  
Bill No. R-94-04-36 & R-94-04-37

Please send us 4 copies of the Publisher's Affidavit from both  
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne

ENCL: 5



NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL

(RESOLUTIONS NO. R-94-04-28 AND R-94-04-29)

Notice is hereby given that the Common Council of the City  
of Fort Wayne, Indiana, approved a Resolution on 4-26-94,  
date

designating property at 4815 Executive Boulevard, Fort Wayne, Indiana  
(Supervalu-Food Marketing Division)

an Economic Revitalization Area. A description of the affected area  
can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether  
the above described resolution should be confirmed, modified and  
confirmed or rescinded on Tuesday, May 10, 1994, at 5:30 o'clock P.M.,  
date, time & place  
Common Council Conference Room 128, City-County Building, One Main Street,  
Fort Wayne, Indiana

If confirmed, said designation shall continue for one (1) year after  
confirmation.

All interested persons are invited to attend and be heard  
at the public hearing.

  
Sandra E. Kennedy  
City Clerk

FW Common Council  
(Governmental Unit)To: The Journal-Gazette Dr.  
P.O. Box 100  
Fort Wayne, IN

ALLEN County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

25 lines, 1 columns wide equals 25 equivalent lines  
at .33 cents per line\$ 8.25Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 10.25

## DATA FOR COMPUTING COST

Width of single column 12.5 ems  
Number of insertions 1  
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: April 30, 19 94Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL  
(RESOLUTIONS NO. R-94-04-28 AND R-94-04-29)  
Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, approved a Resolution on 4-26-94 designating property at 4815 Executive Boulevard, Fort Wayne, Indiana. (Supervalue Food Marketing Division)  
an Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.  
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If confirmed, said designation shall continue for one (1) year after confirmation.  
All interested persons are invited to attend and be heard at the public hearing.

Sandra E. Kennedy  
City Clerk  
#438

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 4/30/94, the dates of publication being as follows:

Subscribed and sworn to before me this 30th day of April, 19 94.

Notary Public

My commission expires: MARY L ADKISON  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14, 1997



PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

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Date: April 30, 19 94

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana )  
) ss:  
Allen County )

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL  
(RESOLUTIONS NO. R-94-04-28 AND R-94-04-29)  
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City Clerk  
#438

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

4/30/94

Subscribed and sworn to before me this 30th day of April, 19 94

MARY L ADKISON  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14, 1997